

## JOURNAL OF THE HOUSE.

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Monday, September 12, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God, we depend upon You and Your special gift of wisdom, which enables us to comprehend more accurately and fully the day's legislative and public policy issues. Your guidance helps us to keep current, often complex, legislative proposals in perspective in our struggle to do what is right, honorable and ethical. Your assistance and Your ways for meaningful living are beneficial to us in our search for personal goals and priorities. In this era of great change around the world and in our own country, inspire us to address today's issues in a mature and thoughtful manner and to plan carefully for the future of our children, our communities and our Commonwealth.

*Prayer.*

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

*Pledge of  
allegiance.*

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. DeLeo of Winthrop and Petruccelli of Boston) congratulating the Bay State Chapter Freedoms Foundation on the occasion of its twenty-fifth anniversary;

*Bay State  
Chapter  
Freedoms  
Foundation.  
Donald L.  
Cleary.*

Resolutions (filed by Representatives Fagan of Taunton, Haddad of Somerset and Canessa of New Bedford) congratulating Donald L. Cleary on the occasion of his retirement; and

Resolutions (filed by Messrs. Kafka of Stoughton and Rogers of Norwood) congratulating Edward C. Williamson on his retirement from the Norwood Fire Department;

*Edward C.  
Williamson.*

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Petruccelli, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Reports of Committees.*

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the redetermination of municipal sewer assess-

*Sewer  
assessments.*

ments (Senate, No. 1203),— and recommending that the same be recommended to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted.

Marshfield  
and Scituate,  
seawall.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1368) of Frank M. Hynes for an appropriation of a certain sum of money for reconstruction and maintenance of the seawall in the towns of Marshfield and Scituate,— and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Underground  
utilities.

Authorizing certain municipal borrowing for underground utility construction (Senate, No. 1192);

Methuen,  
development.

Providing for alternate members on the community development board of the city of Methuen (Senate, No. 2021); and

Newburyport,  
fund.

Eliminating maintenance and capital investment funds in the city of Newburyport (Senate, No. 2135); and

House bills

Accidental  
death  
benefits.

To increase the amount of benefit to children who are survivors in the case of an accidental death benefit under the provisions of Chapter 32 (House, No. 13);

Energy.

Relative to renewable energy (House, No. 1669); and

Oxford,  
parliamentary  
rules.

Providing for a change in parliamentary rules in the town of Oxford charter from Demeter's Manual of Parliamentary Law and Procedure to Robert's Rules of Order (House, No. 4237);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Northampton,  
finance  
director.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill establishing the office of finance director in the city of Northampton (House, No. 4186, changed in section 9, in lines 3 and 4, by striking out the words "expires and then shall be reappointed") [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Firefighters,  
smoking  
cessation.

By Mr. Kaufman of Lexington, for the committee on Public Service, ought NOT to pass, on the petition (accompanied by bill, House, No. 149) of Kathi-Anne Reinstein relative to providing smoking cessation programs for certain police officers and fire fighters.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 172) of Martin J. Walsh and Brian P. Wallace relative to promotional exams for employees of fire alarm divisions.

Promotional  
exams.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 330) of Paul C. Casey relative to the promotion of certain commissioned officers of the Department of State Police.

State police,  
promotions.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 370) of John P. Fresolo and others for legislation to regulate the suspension of police officers charged with misconduct during the performance of duty.

Police officers,  
suspension.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 371) of John P. Fresolo and others relative to the age requirements of municipal police officers and fire fighters.

Municipal  
police and  
fire fighters.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 376) of John P. Fresolo and others for legislation to prohibit the surveillance of certain public officials by private investigators.

Public  
employees,  
rights.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 510) of Ronald Mariano for legislation to further regulate the eligibility requirements for applicants for civil service positions.

Civil service  
applications.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 555) of Todd M. Smola and Reed V. Hillman relative to the restoration to service of a member of a fire department.

Fire  
department,  
retirement.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

### *Orders of the Day.*

House bills

Relative to the transportation finance commission (House, No. 2116, changed); and

Third  
reading  
bills.

Relative to the Swansea Water District (House, No. 3557);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next  
sitting.

Mr. Stanley of Waltham then moved that as a mark of respect to the memory of Donald J. Manning, a member of the House from Waltham from 1961 to 1980, inclusive, and a valued employee in the House Counsel's Office from 1981 to 1991, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at a quarter after twelve o'clock noon, on motion of Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M.